England Treaties etc 6155 a 21

ARTICLES OF PEACE, ENTERCOVRSE, AND Commerce,

Concluded in the names of the most high and mighty Kings, and Princes IAMES by the grace of GOD, King of great *Britaine, France, and Ireland, defender of the faith, &c.*

And *Philip* the third, King of Spaine, &c.

And *Albertus* and *Isabella Clara Eugenia, Archdukes of Austrice, Dukes of Burgundie, &c.*

In a Treatie at London the 18. day of August after the old Stile in the yeere of our Lord God 1604.

Translated out of Latine into English.

IMPRINTED AT LONdon by *Robert Barker*, Printer to the Kings *most Excellent Maiestie.*

ANNO 1605.



¶ The Commissioners for the most renowned King of great BRITAINE, &c.

THOMAS *Earle of Dorset, Baron of Buckhurst, high Treasurer of England.*

CHARLES *Earle of Nottingham, Baron Howard of Effingham, chiefe Iustice, and Iustice itinerant of all Forrests on this side Trent, high Admirall of England, and Captaine generall of the Nauies, and Seas of England, Ireland, and the Fles, and Dominions thereof.*

CHARLES

CHARLES *Earle of Deuonshire, Baron of Mountioy, Lieutenant in the Kingdome of Freland, Master of the Ordinance, Gouernour of the Towne, Fland, & Castle of Portesmouth*, Knights of the most honourable order of the Garter.

HENRY *Earle of Northampton, Lord Howard of Marnehill, Lord Warden, and Admirall of the Cinque Ports.*

ROBERT *Lord Vicount Cranborne, Lord Cecill of Esenden, Principall Secretary, Master of the Court of Wardes, and Liueries.* All Lords of his Maiesties Priuie Counsell.

¶ Com-

¶ Commissioners for the King of Spaine, &c.

IOHN DE VELASCO *Constable of Castile, and Legion, Duke of the Citie of Frias, Earle of Haro, Lord of the Townes of Villalpand, and Pedraça de la Sierra, Lord of the house of Velasco, and of the seuen Infants of Lara, great Chamberlaine vnto* PHILIP *the Third, King of Spaine, &c. Counseller of State and Warre, President of Italie.*

IOHN BAPTISTA DE TASSIS, *Earle of Villa Mediana, Gentleman of the Kings Chamber, and Postmaster generall in the Kingdoms & dominions of the said King.*

ALEX-

ALEXANDER ROVIDIVS *Professor of the Law in the Colledge of Millaine, and Senator of the Prouince of Millaine.*

¶ Commissioners for the Archdukes.

CHARLES *Prince, and Counte of Aremberge, Knight of the order of the Golden fleece, Counseller of State, and Admirall generall to the said Archdukes.*

IOHN RICHARDOT *Knight, President of the Priuie Counsell, and Counseller of State.*

LODOVIKE VERREIKEN *Knight, Principall Secretary, and Audienciarie.*

¶ Articles

Articles of the Treatie.

FIrſt it is concluded, and accorded, that from this day forward, there ſhall bee a good, ſincere, true, firme, and perfect Amitie, League, & Peace, to endure for euer, and inuiolably to bee obſerued and kept, as well by Land as Sea, and freſh waters, betwixt the moſt renowned King of *England*, *Scotland*, *France*, and *Ireland*, &c. And the moſt renowned King of *Spaine*, &c. And the moſt renowned Archdukes

of *Auſtrice*, Dukes of *Burgundie*, &c. and their Heires and Succeſſours whomſoeuer, their Kingdomes, Countreys, Dominions, Lands, Peoples, Liegemen, and Subiects now being, or which hereafter ſhall be, of whatſoeuer condition, ſtate, or degree they are or may be, ſo as the ſaid Vaſſals and Subiects from henceforth are each of them to fauour other, and to vſe one another with all kind and friendly offices.

II.

AND that from henceforth all Hoſtilitie, and enmitie ſhall ceaſe, and all offences, iniuries or damages which either part (in time of the troubles) hath ſuſteined by the other, ſhalbe taken away and forgotten, in ſuch ſort, as that hereafter neither partie againſt other, for, or vpon occaſion of any damages, offences, depredations or ſpoyles paſt, may pretend any matter, but that there ſhall be a perfect abolition of all and euery of them vntill this preſent day: and that all actions for the ſame ſhall be held and reputed to be extinguiſhed, excepting onely ſuch depredations

dations as haue beene committed ſince the xxiiij. of April 1603. (becauſe of theſe an account is to be made:) And each partie ſhall hereafter abſtaine from all depredations, offences, and ſpoiles as well by Sea as Land, and freſh waters, in whatſoeuer the Kingdomes, Dominions, Places, or Gouernments of the other: neither ſhal the aforeſaid Princes conſent, that any of the grieuances before mentioned, be done by any of their Vaſſals, Inhabitants, or Subiects: and they ſhall alſo cauſe reſtitution to be made of all depredations and ſpoiles which hereafter ſhall be committed, and of the damages growing by meanes thereof.

III.

ITem, that none of the forenamed Princes, their Heires, or Succeſſors whoſoeuer, by himſelfe or by any others, ſhall doe, treat, or attempt any thing againſt the other, or againſt their Kingdomes, Lands or Dominions whatſoeuer in any place, on Land or Sea, or in the Ports, or freſh waters, by pretence of any cauſe, or vpon any occaſion; neither

ther any of them ſhall giue aſsiſtance or conſent vnto any Warre, Counſell, Attempt, or Treaties, had, made, or to be made in the preiudice of either, or againſt the other.

IIII.

ITem, that neither of the former parties, ſhall themſelues giue, or ſhall conſent to be giuen, by any of their Vaſſals, Subiects, or Inhabitants, aide, fauour, or counſell, directly or indirectly, on Land, Sea, or freſh waters: nor ſhall ſupply and miniſter, nor conſent to be ſupplyed and miniſtred, by their ſaid Vaſſals, Inhabitants and Subiects, vnto the Enemies or Rebels of either part, of what nature or condition ſoeuer they be, (whether they ſhall inuade the Countreys and Dominions of either of them, or withdraw themſelues from their obedience and ſubiection) any Souldiers, prouiſion of Victuals, Monies, Inſtruments of Warre, Munitions, or whatſoeuer other aide elſe to maintaine Warre.

And

V.

AND furthermore, the foresaid Princes shall renounce, as by the tenor of these Presents euery of them hath, and doth renounce, whatsoeuer League, Confederation, Capitulation, and Intelligence made by what manner soeuer, in the preiudice of the one, or the other, which doth or may repugne against this Peace, and Concord, and all, and singuler the Contents thereof; all which and euery of them, so farre as they doe concerne the effect aforesaid, they shall adnull, and make void, and declare to be of no force, or moment.

VI.

ITem, it is agreed and accorded, that the said most renowned Kings, and Archdukes, shall take care, that their Subiects shall from henceforth abstaine from all force, and wrong doing, and that they likewise shall reuoke all Commissions, and Letters of Repriſall, and Mart, or otherwise conteining Licence to take Prizes, of what condition, or

kinde ſoeuer they are, being to the preiudice of the one, or other of the ſaid Princes, or of their Subiects, whether the ſame haue beene giuen, or graunted by them vnto Subiects, or Inhabitants, or vnto Strangers, and ſhall declare the ſame to bee void, and of no force, as by this Treatie of Peace they are declared ſo to be; And whoſoeuer ſhall do any thing to the contrary, he ſhall be puniſhed not only criminally according to the merit of his offence, but ſhall alſo be compelled to make reſtitution, and ſatisfaction for the loſſes to the parties damnified, requiring the ſame.

VII.

ITem, as concerning the towns of *Fluſhing*, *Brill*, *Ramekins*, and other Forts and places thereunto appertaining, in which the garriſon Souldiers of the renowned King of *England*, *Scotland*, &c. doe now remaine, for as much as the renowned King of *England*, &c. affirmeth that by contracts heretofore made, betweene Queene ELIZABETH of moſt happie memorie, (vnto whom his Maieſtie in his Kingdomes doth ſucceed) and the States

of

of the vnited Prouinces of the low Countreyes, he ſtandeth in ſuch ſort bound, not to redeliuer the ſaid Townes, Forts, and places to any others, then vnto thoſe who deliuered the ſame for Caution, as that by the ſaid Contracts, his Maieſties Faith, and Honour, (which he reſolueth religiouſly to keepe towards all perſons) being engaged, it is not free for him now to reſtore thoſe places vnto the Archdukes; yet, in the word of a King, he doeth promiſe to enter into Treatie hereafter with the ſaid States, wherein his Maieſtie will aſſigne a competent time vnto them, to accept and receiue Conditions, agreeable to Iuſtice, and equitie, for a pacification to be had with the moſt renowned Princes his deare Brethren: which if the States ſhall refuſe to accept, his Maieſtie from thenceforth, as being freed from the former Conuentions, will determine of thoſe Townes according as hee ſhall iudge it to bee iuſt, and honourable, wherein the ſaid Princes his louing Brethren, ſhall find, that there ſhall bee no want in him of thoſe good offices which can be expected of a friendly Prince.

Item,

VIII.

ITem, that the ſaid moſt renowned King of *England, Scotland, France,* and *Ireland, &c.* will command, as hee ſeriouſly promiſeth ſhall be commanded, that his garriſon Souldiers vpon what cauſe or pretext ſoeuer, ſhall not ſerue, ſuccour, victuall, or furniſh with Artillerie, Gunpowder, Bullets, Saltpeter, or any other Munition, or aſsiſtance for Warre, the *Hollanders,* or other enemies of the King of *Spaine,* and the Archdukes: neither that they ſhall giue vnto them Aide, or doe any hoſtile Acte againſt the ſaid King of *Spaine,* and Archdukes, or their Subiects: As alſo on the part of the King of *Spaine,* and the Archdukes, no hoſtile Acte ſhall be committed, or done againſt the ſaid garriſon Souldiers, or againſt the moſt renowned King of *England, &c.* or his Subiects.

IX.

ITtem, it is agreed and accorded, that betweene the moſt renowned King of *England, Scotland, &c:* and the moſt renowned

ned King of *Spaine*, &c. and euery of their Vaſſals, Inhabitants, and Subiects, as well by Land, as Sea, and freſh Waters, in all and ſinguler their Kingdomes, Dominions, Iſlands, and other Lands, Cities, Townes, Villages, Hauens, & Streights of the ſaid Kingdomes, and Dominions, there be, or may bee free Commerce, in which before the Warres there hath bene Commerce, like, and according to the vſe and obſeruance of the ancient Leagues, and Treatiſes, before the Warre, in ſuch ſort, and manner, as that without any ſafeconduct, or other Licence generall, or ſpeciall, the Subiects of the one, or other King may freely, aſwell by Land as by Sea, and freſh Waters, goe, enter, and ſaile, in and to the ſaid Kingdomes, and Dominions, and all the Cities, Hauens, Shores, Sea rodes, and Streights thereof, and put themſelues into whatſoeuer Hauens of the ſame, where before the Warre there hath bene Commerce, like, and according to the vſe, and obſeruance of the ancient Leagues, and Treatiſes before the Warres, with Carriages, Horſes, Burdens, Ships aſwell laden, as to bee laden, to

bring in Merchandizes, and there to buy, or ſell as much as they will, and in the ſame places vpon iuſt prices to procure, and haue prouiſion of Victuals for their ſuſtenance, and Voyages, and likewiſe as occaſion ſhall require, to repaire ſuch ſhipping and carriages, as either appertaine vnto them in propertie, or elſe they haue hired or borowed, and from thence alſo with their Merchandizes, Goods, and other commodities whatſoeuer, (the Cuſtomes, and Tolles, as they are preſently rated according to the Ordinances of the places being paid) they may with like freedome depart, and goe to their owne Countreyes, or any other places at their pleaſure without let or impediment.

X.

ITem, it is likewiſe agreed and accorded, that it may bee lawfull, to haue acceſſe vnto the Ports of the ſaid Princes, and there to make ſtay, and from thence with the ſame libertie to depart, not onely with their Ships of Merchandiſes, and burthen, but alſo with other ſhipping furniſhed for Warre, and prepared

pared to withstand the force of enemies: Whether they shall arriue there, either by force of tempest, or for repairing their Ships, or for prouision of victuals, so as they exceed not the number of sixe, or eight Ships, when they come in of their owne accord, nor that they continue, nor make stay in the Hauens, or about the Ports longer then they shall haue iust cause for the repaire of the same shipping, or for prouision of other necessaries, lest they should bee any occasion of Interruption vnto the free Commerce and entercourse of other friends and Nations in amitie: And whensoeuer any greater number of Ships of warre, then is before specified, shal haue occasion of accesse into those Ports, then shall it not bee lawfull for them to make any entrance without the priuitie and consent of the Prince. Prouided also that they doe no hostile acte, within the said Ports, to the preiudice of the Princes, but demeane themselues there quietly, as friends and confederates, with speciall Caution euer to bee had, that vnder the colour and pretext of Commerce, no warlike aide, prouision of

victuals, or of armes, or of munition or other such like materials for the Warres, carried by the Subiects, Vassals, or Inhabitants of those Kingdomes, to the commoditie or benefit of the enemies of the one or other King. And whosoeuer shall attempt to the contrarie, shall bee punished with those sharpe paines and punishments, vsed to be inflicted vpon seditious persons and breakers of Faith and Peace. Prouided also, that the Subiects of the one, in the Dominions and Territories of the other, be not worse handled, then the naturall Subiects in their sales and contracts for their Merchandises, as wel in respect of the prises, as otherwise, but that the Condition of Forreiners be equal and like herein, vnto natural Subiects: Notwithstanding any Statutes or Customes to the contrarie.

XI.

ITem, it is agreed and accorded, that the most renowned King of *England*, *Scotland* &c. shall prohibite, and after the confirming of these present Articles, by Proclamation forthwith prouide, that no one of his Subiects,

Subiects, Inhabitants, or Vaſſals ſhall lade, or carie ouer by any meanes directly, or indirectly in his owne name, or in the name of any others, neither ſhall lend his Ship or other veſſell for carriage, or vſe his name for the tranſporting or conueying of any Ships, Merchandiſes, Manufactures, or any other thing, out of *Holland*, and *Zeland* into *Spaine*, or other the Kingdomes and Dominions of the King of *Spaine*, or the Archdukes, neither ſhall carrie in his Ships, any *Holland*, or *Zeland* Merchant vnto the ſaid Ports, vpon perill of his Maieſties indignation, and other punithments vſually inflicted on the contemners of his Highneſſe commandements. And to the effect that fraude (which through the likeneſſe of Merchandiſe might happen) bee the better auoyded: It is alſo prouided in this preſent Article, that the Merchandiſes to be carried, and conueyed out of *England*, *Scotland*, and *Ireland*, to the Kingdomes and Dominions of the King of *Spaine* and Archdukes, ſhall bee Regiſtred and Sealed with the Seale of the Towne or Citie from whence they ſhall bee laden, and

that they being ſo Regiſtred and Sealed, ſhal without any difficultie or queſtion whatſoeuer, bee reputed, and held for Engliſh, Scottiſh, and Iriſh Merchandiſes, and ſo reſpectiuely according to the Seale or Marke, bee allowed and admitted: Alwayes excepted, that in caſe of fraude, proofe ſhall be admitted, without ſtay notwithſtanding or let of the courſe or venting of the Merchandiſes in the meane time: And touching ſuch Merchandiſes, as ſhall not be Regiſtred nor Sealed, the ſame are to bee Confiſcated and taken for good Prize: And likewiſe all *Hollanders* and *Zelanders*, which ſhall bee found in the ſame Ships, may alſo bee taken and detained.

XII.

ITem, it is agreed that Engliſh, Scottiſh, and Iriſh Merchandiſes may be conueyed, and tranſported out of *England*, *Scotland*, and *Ireland* into *Spaine*, and other of the Kingdomes of the King of *Spaine*, (before mentioned) without the payment of the Impoſition of thirtie in the hundred, lately impoſed;

posed; but paying onely the Custome and Tolles vsually required, before the said Imposition of thirtie in the hundred.

XIII.

ITem, it is likewise agreed, that for the Merchandises which English, Scottish, and Irish Merchants shall buy in *Spaine*, or other the Kingdomes of the sayd King of *Spaine*, and shall carrie in their owne Ships, or in Ships hired, or lent vnto them (except as before hath bene said the Ships of *Hollanders* and *Zelanders*) they shall pay onely such Tolles as were accustomed to bee paide before the Imposition of thirtie in the hundred, yet so as they conuey and carrie the same goods and Merchandises to the Kingdomes of the said most renowned King of *England, Scotland &c.* or to the Ports of the Prouinces, being in obedience to the Archdukes. And for the more suretie that fraude bee not committed herein, and that the said Merchandises bee not transported to other places and Kingdomes, and especially into *Holland* or *Zeland*, it is concluded, that the said

ſaid Merchants ſhall binde themſelues, at the time that they doe lade their Ships in *Spaine*, or in the other Kingdomes and Dominions of the ſaid King of *Spaine* aboue declared, before the Magiſtrate of the place in which they ſhall lade, to pay the ſaid Impoſition of thirtie in the hundred, in caſe they carrie the ſame goods and Merchandiſes to other Dominions and Countries: And to obtaine alſo within the ſpace of twelue moneths following, a Certificate from the Magiſtrate of the places, where they ſhall diſcharge or vnlade the ſame goods, teſtifying their diſcharge to haue beene either in the Kingdomes and Dominions of the King of *England* &c. or in the Ports of the Prouinces vnder the obedience of the ſaid Archdukes: vpon the exhibiting whereof, the Obligations concerning thoſe matters ſhall be deliuered vp, vnto the bringers of the ſame Certificates.

XIIII.

AND alſo that the ſayd moſt renowned King of *England*, *Scotland*, *France* and *Ireland*, &c. ſhall prohibite ſoone after

ter the confirming of this accord, that none ſhall exporte any merchandize out of *Spaine*, or other Kingdomes of the King of *Spaine*, to be caried to other places then to his Maieſties Kingdomes, and the ſayd Portes of *Flanders*, vpon penaltie of confiſcation of all their merchandiſes, to the vſe of the ſaid King of *England*, &c. to be paide into his Maieſties Exchequer: of which merchandiſes, or the value thereof, one halfe is to bee giuen to the Informer, (the impoſition of thirtie in the hundred being firſt deducted) to bee payed to the Miniſters and Deputies of the King of *Spaine*, and the prooſes lawfully receiued in *Spaine*, and tranſmitted into *England* in authenticall foume, are to bee credited.

XV.

ITem, that the Magiſtrates of the ſayde townes or Cities of his Maieſties Kingdomes, which ſhall make Certificates of the vnlading of ſhippes, and are to giue teſtimony of the regiſtring of the merchandiſes, ſhal not commit any fraud therein, vnder

perill of indignation of the Kings Maieſtie, and paine of loſſe of their offices, and other more grieuous puniſhments at the Kings pleaſure. This declaration being added, that when the King of *Spaine* and Archdukes ſhall agree with the French King, or with any other vpon the laſt Placard of thirty in the hundred, and the Commerce betwixt them be reſtored, then it ſhall bee lawfull to the Subiects of the ſayd moſt renowned King of *England*, *Scotland*, &c. to tranſport their merchandiſes to the Kingdomes and Dominions of him, or them vnto whom Commerce ſhall be reſtored without the payment of thirty in the hundred, but onely paying the Tolles and Cuſtomes vſed and payed before the ſayd impoſition.

XVI.

THat which hath before been expreſſed, concerning the free Commerce granted vnto the Subiects of the ſaid renowned kings, is to be vnderſtood to bee likewiſe agreed on, for the Subiects of the moſt renowned King & Princes, the king of *England*,

land, Scotland, France and *Ireland*, &c. and the Archdukes, to wit, that in all places whatſoeuer, their Subiects are bound reciprocally, to reſpect & to fauour ech other, and by mutuall kinde offices friendly to intertaine the one the other, and that by land, ſea, and freſh waters, without any ſafe conduct or other licence generall or ſpeciall, they may vnto the ſaide Kingdomes, Dominions, Lands, Villages, Towns, Cities, Sea ſhores, Hauens, Sea rodes whatſoeuer, freely, ſafely, ſecurely, come, enter, ſayle, carie and recarie their merchandiſes, buy, and ſell, remaine, abide, and conuerſe in the ſame, ſo long as it ſhall pleaſe them, any kinde of prouiſion for victuall, and things neceſſary for ſuſtenance, and for voiages at iuſt & reaſonable prices, and there repaire alſo (as occaſion ſhall require) their ſhipping, and cariages, whether the ſame be their owne, or whether they be hired or borrowed: As alſo to depart from thence with like libertie, with merchandiſes, goods, and other things whatſoeuer (the Cuſtomes and Tolles according to the Statutes of thoſe places being payd) and to diſpoſe and follow

their businesses freely, and to returne at their owne pleasure, either into their owne Countreys, or to any other place, without any impediment or let, so as the Subiects of the most renowned King of *England*, &c. vse not the shipping of the Hollanders, or the vnited Prouinces, and bring not into the Prouinces of the Archdukes any of the manufactures of *Holland*, or of the vnited Prouinces bought whersoeuer, neither any other thing, for which there was paid in *Holland* any tribute, nor that they transport any thing from the Archdukes Prouinces, vnto them of those Prouinces vntill a pacification be accorded: Nor that they receiue any the goods of Hollanders, or of those other places vnited into their ships, nor trust any of their owne goods in the ships of Hollanders, nor fraudulently by lending their names, colour the goods of any Hollander, or other of the vnited Prouinces: for that if any thing be committed to the contrary, and the same be found, it shall bee held for iust and lawfull Prize.

And

XVII.

AND the aforesaid Priuiledges are not only to bee vnderstood of ships laden or to be laden in cause of Commerce, but also of shippes of Warre which the said Princes haue or shall haue armed to represse the Attempts of their Enemies: insomuch as that it may be lawfull for such Ships of warre, not exceeding the number before mentioned, if they happen to be constrained either by force of tempest, or for buying of Victuals or other things, or for repaire of shipping, to vse the same libertie in arriuing, staying, and departing: so that they doe no Hostile acte in the said Ports, but demeane themselues honestly and quietly, as it becommeth confederates and friends: and so that they stay and remaine not in, or about the same Ports any longer then shall bee needfull for reparation and prouision of necessaries, that thereby they be not a hinderance or interruption to the free Commerce and Intercourse with other Nations that are in Amitie and Friendship: but where occasion shall fall out of arriuall

riuall of any greater number of Shipping then before ſpecified, it ſhall not bee lawfull for them to enter, but with the knowledge and allowance of the Prince.

XVIII.

AND as the ſaide Kings and Archdukes doe religiouſly promiſe, that they will not at any time yeeld any Warlike ſuccour to any of the others enemies, ſo it is prouided that their Subiects, or the inhabitants in their Realmes, of what nation or qualitie ſoeuer they be, may not vnder colour of Entercourſe and Commerce, nor vpon any other colour or pretence giue any ayde or helpe to the enemies of the ſayd Princes, or of either of them, or conferre, or ſupplie them with money, prouiſions of victuals for warre, Armour, Munition, Ordinance, Artillerie, or other warlike prouiſion, and thoſe which ſhall do the contrary, are to take knowledge, that they ſhall bee puniſhed with the ſeuere puniſhments accuſtomed to be inflicted vpon breakers of League, and ſeditious perſons.

And

XIX.

AND that also greater benefite may through this Concord come vnto the Subiects of the most renowned King of *England, Scotland, &c.* and of the Archdukes, it is accorded and concluded, that the said most renowned King of *England, &c.* and Archdukes ioyntly and seuerally, will doe their endeuours, that their Subiects haue not the passages stopped or letted vnto any of their Ports, Kingdomes and Dominions, that thereby they bee not hindered, freely and without impediment to come and goe, with their Shipping, Merchandise, and Carriages (the ordinarie Customes and Tolles being paide) to al the said Ports, Kingdomes, and Dominions: and with the like libertie (when it shall seeme so good vnto them) with other Merchandises from thence to depart.

XX.

BVt as concerning the ancient Treatises of entercourse and Commerce, whereof diuers are extant, betwixt the Kingdomes

of

of *England*, *Scotland*, and *Ireland*, and the Dominions of the Dukes of *Burgundie*, and Princes of the Low Countreyes, which notwithstanding during the late troubles haue beene intermitted, and peradventure in some parts impaired; it is agreed by way of propulsion, That they shall retaine and haue their auncient force and authoritie, and that they shall bee vsed on both parts, as they were before the Warres: And if it happen that either by both partes or any one part any breach thereof be alleadged, or that the Subiects shall complaine that the Conuentions are not obserued, or that more grieuous burdens then were accustomed are imposed on them, there shall bee Deputies appointed on either part which may meete, and calling vnto them (if neede be) Merchants experienced in such matters, may friendly Treate, and equally renew, and restore such things, as shal bee founde either to haue slipped out of course, or to haue beene changed by the iniurie of time, or by corrupt custome and vse.

And

to

XXI.

AND for that the rights of Commerce which doe ensue by Peace ought not to be made vnfruitfull, as they would be if the Subiects of the most renowned King of *England*, *Scotland &c.* whilest they haue recourse to and from the Kingdomes and Dominions of the said King of *Spaine* and Archdukes, and do remaine there for Commerce, should bee molested in the cause of Conscience: therefore to the intent their Traffique may be safe, and without danger, as well on Land as on Sea, the said renowned King of *Spaine*, and Archdukes shall take care, and prouide, that for the said cause of Conscience they shall not be molested, nor inquieted in vsing their Trade and Commerce, so as they giue not scandall vnto others.

XXII.

ITem, that if it happen any goods or Merchandises prohibited to be carried, or conueyed out of the Kingdomes and Dominions of the said most renowned Kings and

Archdukes, by the Subiects of the one or of the other, that in such case the person onely offending shall incurre punishment, and the goods onely prohibited shalbe Confiscated.

XXIII.

ITem, that the goods of the Subiects dying within the Kingdomes or Dominions of either, shall be conserued to the right heires and successours of the deceased, the right of a third Person alwayes reserued.

XXIIII.

ITem, that the Graunts and Prieledges giuen by the Princes to Merchants of either of the Kingdomes comming to their said Kingdomes, and which Prieledges through the Warres haue ceased, shall from henceforth wholly bee reuiued and haue their full force and strength.

XXV.

ITem, if it shall happen hereafter, (which God forbid) that any displeasure doe arise, betweene the said most renowned Kings, the

the King of *England*, *Scotland*, *France*, and *Ireland*, &c. And the King of *Spaine*, or the Archdukes, whereby danger might grow of the interruption of entercourse and Commerce, then the Subiects of either Prince are thereof so to be admonished, as that they may haue sixe Moneths from the time of the monition, to transport their Merchandises without any arrest, disturbance, or hurt in the meane season, to be done or giuen vnto them either in their persons or Merchandises.

XXVI.

ITem, that none of the foresayd Princes shall imbarge or stay for their prouision in warre, or for any other seruice, to the preiudice of the owners, the ships of the Subiects of any of the others, being in their Ports, or waters, vnlesse the Prince of those parties to whom the ships doe appertaine, shall first be admonished thereof, and shall also yeeld his consent thereunto.

XXVII.

ITem, it is accorded, that if during this Peace and Amitie, any thing happen to be

attempted, committed or done, againſt the force and effect thereof, by land, ſea, or freſh waters, either by any of the ſaid Princes their Heires and Succeſſors, their Vaſſals, Subiects, or Allies comprehended in this League, or of any the Heires or Succeſſours of thoſe Allies their Subiects, or Vaſſals, yet notwithſtanding this Peace and Amitie, ſhal remaine in his ſtrength and vertue, and the attempters, and ſuch as doe offend therein onely, and no other, ſhall bee puniſhed for their attempts.

XXVIII.

ITem, that ſuch as haue beene taken in warre, and are Captiues on either part, although they be condemned to the Galleys ſhall be releaſed and diſmiſſed, the charges of the diet of ſuch as are not in the Galleys being firſt diſcharged, and the ranſomes of ſuch as haue before agreed for the ſame, being by them payed.

XXIX.

ITem, it is concluded, that all ciuill actions, which at the time when the laſt warres began, were of validitie, and of force, may

yet

yet bee exerciſed and purſued, notwithſtanding any lapſe of time during the ſame warr, ſo as no preiudice ſhall bee vnderſtood to haue growen vnto them, by the continuance of the warre, thoſe onely excepted which are already come to the Exchequer or Princes Treaſurie.

XXX.

ITem, if any controuerſie happen to bee moued in the Kingdomes and Dominions of the one or other of theſe Princes, by any perſon not being Subiect to the ſame Prince, for, or vpon occaſion of any depredations or ſpoyles committed, the cauſe is to be remitted to the Iudge of the iuriſdiction, vnder that Prince againſt whoſe Subiect or Subiects the ſuite is commenced.

XXXI.

ITem, that if the Hollanders and other confederate States, will accept of conditions of pacification with the moſt renowned Archdukes, or their Succeſſors, through the meanes of the moſt renowned king of *England*, &c. the ſayd Archdukes and their Succeſſors,

ceſſors, will alwayes willingly hearken vnto that which ſhal be propoſed therein, and will deſire that by the helpe of the ſayd moſt renowned King of *England*, &c. they may bee brought to embrace equall cõditions, wherin they ſhal wel vnderſtand, how much the ſaid Archdukes doe attribute vnto the authority of the moſt renowned King of *England*, &c. their louing brother.

XXXII.

ITem, it is concluded and accorded, that in this preſent Treatie of peace, there bee comprehended the Adherents, friends, and confederats, of the forenamed Princes: That is to ſay, on the part of the moſt renowned King of *England*, *Scotland*, *France* and *Ireland*, &c. *Rodulphe Romane* Emperour, with the Archdukes of *Auſtrice*, and the Electors of the Empire, together with the States, and Cities of the Empire, the Duke of *Lorrain*, the duke of *Sauoy*, the dukes of *Brunſwicke*, *Lunenburg*, *Meckleburg*, *Wirtemberg*, the *Landgraue* of *Heſſe*, the Marqueſſe of *Baden*, the duke of *Pomerane*, the Prince of *Anhalt*,

halt, the Earle of *East-freisland*, the *Cantons* of *Heluetia*, and the *Grisons*, the *Haunse-cities*; The *French* King, the King of *Poland*, and *Swethland*, the King of *Denmarke*, the duke and State of *Venice*, the duke of *Holst*, the duke of *Florence*.

XXXIII.

ON the part of the King of *Spaine*, and Archdukes, *Rodulphe* Romane Emperour, and his Brethren, and other Princes, Archdukes of *Austrice*, Princes of the Empire, the Electors, Cities, and States subiect to the Empire, the *French* King, the King of *Poland* and *Swethland*, the King of *Denmarke*, the duke and State of *Venice*, the duke of *Sauoy*, the duke of *Bauire*, the duke of *Cleue*, the duke of *Holstein*, the duke of *Lorraine*, the duke of *Parma* and *Placentia*, with his Brother, the Cardinall, the Bishop and Prouince of *Liege*, the duke of *Florence*, the duke of *Mantua*, the duke of *Mutina*, and *Regium*, the duke of *Vrbine*, the Confederats and Cantons of the *Heluetians*, and *Grisons*, the Cities of the *Haunse*, the Earles of *East-*

friesland

Friesland (without notwithstanding any prejudice of the right by the King of *Spaine*, and Archdukes pretended for their States) the duke and Common wealth of *Genua*, the Common wealth of *Lukes*, the Principall of the House of *Columna*, the Prince of *Oria*, the Principall of the house of *Vrsine*, the duke of *Sermoneta*, the Lord of *Monacho*, the Earle of *Mirandula*, the Marques of *Massa*, the Earle of *Sala*, the Earle of *Colorno*.

XXXIIII.

ITem, it is likewise accorded and concluded, that the saide most renowned Kings and Princes, IAMES by the grace of God King of *England, Scotland, France*, and *Ireland*, &c. And PHILIP King of *Spaine*, &c. *Albert* and *Isabella Clara Eugenia*, Archdukes, &c. shall sincerely, and faithfully observe and keepe, and procure to be observed and kept, by their Subiects, and Inhabitants, all and singuler the Capitulations in this present Treatie accorded, and concluded, neither shall they directly or indirectly infringe the same, or consent that the same shalbe infringed,

fringed, directly, or indirectly, by any of their Subiects or Inhabitants, and they shal ratifie, authorise and confirme, all and singular the Conuentions as before accorded and concluded by Letters Pattents, subscribed with their owne hands, and sealed with their great Seales in sufficient, auaileable, and effectuall forme, and the same so formed and made, shall vpon the first occasion deliuer or cause to be deliuered faithfully, really, and effectually; And they shall make the like promise to obserue all and singular the premisses, in the word of a King and Prince, and shall also sweare to obserue and performe the same by oath vpon the holy Euangelist, (whensoeuer they shall, by either part be thereunto required.) And the said Kings and Archdukes shall take care that this present Peace and Amitie be published in places accustomed, so soone as conueniently the same may be.

Articles concerning Merchandize of high *Germanie* to be transported into *Spaine, free of the Imposition of* 30. *in the* 100.

THE more to expresse obseruance towardes the most renowned King of *England*, &c. and for the commoditie of his Maiesties Kingdomes, the Illustrious and excellent the Constable of *Castile*, &c. Procurator speciall of his Cath. Maiestie, hearing how much the Subiects of the most renowned king of *England*, *Scotland*, *France* and *Ireland*, doe desire to be permitted to vent the merchandise of *Germanie* in *Spaine*, doeth by these presents promise, that it shall be lawfull for the sayd Subiects of the most renowned King of *England*, &c. to conuey merchandise out of high *Germanie*, being subiect to the Imposition of thirtie in the hundred, and which without payment of the sayd Imposition could not be caried into *Spaine*, and the same merchandise hauing first

firſt been conueyed into *England*, and there diſcharged, & cuſtomed, from thence after to be tranſported into *Spaine*, or other the Dominions of the King of *Spaine*, without payment of thirtie in the hundred, ſo as the ſaid merchandiſe hath payd nothing to the Hollanders, and Zelanders, and other enemies of the King of *Spaine*, and the Archdukes: and ſo as they be conueyed in the proper ſhips of the moſt renowned King of *England*, &c. or his Subiects, and not in others of any other Prince, or Nation, or of other whomeſoeuer. And to the effect that fraude herein may bee auoyded, the Merchandiſes of high *Germanie*, which are to bee tranſported foorth of *England*, *Scotland*, and *Ireland*, to the Kingdomes and Dominions of the King of *Spaine* and the Archdukes, ſhall bee Regiſtred and marked with the Seale or Marke of the Towne from whence they ſhall bee laden, and certified by a Certificate from the Magiſtrate of the ſaid Towne or Citie, teſtifying that the ſaid Merchandiſes were diſcharged in *England*, *Scotland* or *Ireland*, and that they haue paide Cuſtome there, as well vpon pe-

rill of the Kings Maiesties indignation, as also vpon paine of losse of their Offices and other more grieuous punishments, to bee inflicted at the Kings pleasure, vpon the Magistrates of the Townes and Cities of the Kingdomes, of the said most renowned King of *England*, &c. which are to certifie the vnlading of Ships, and to testifie of the Registring thereof, if they shall herein commit any fraude.

II.

ITem, that whatsoeuer merchandizes of high *Germany*, shall not bee discharged in *England*, *Scotland* and *Ireland*, and yet shall be conueyed into *Spaine*, and other Kingdoms of the King of *Spaine* as such merchandises, shall be confiscated, and bee reputed as good Prize.

¶ Three Articles concerning a moderation to be had in the proceedings of the Inquisition, toward the Kings Maiesties Subiects, in SPAINE.

FIrſt, if they haue exceeded in any thing before their entrance into Spaine, they ſhall not be called into the INQVISITION for the ſame, neither ſhall bee moleſted for any of thoſe things ſo committed, out of Spaine, neither ſhall any Account for the ſame bee demaunded of them.

II.

ALſo if they will not enter into the Churches, no man ſhall compell them thereunto, but if they doe enter into the ſame, they ſhall performe thoſe dueties & reuerence, which are vſed towards the holy Sacrament of the Altar being there, and if they ſhall ſee the holy Sacrament comming towards them in any ſtreete, they ſhall doe reuerence by bowing their knees, or elſe to paſſe aſide by ſome other ſtreete, or turne into ſome houſe.

III.

AND if any of the said persons being Masters, or Masters-Mates, or any other Officers of ships, which bee not their owne, doe exceed in any matter herein, the INQVISITION proceeding against them by Office, is onely to sequester their owne proper goods, and are to leaue free the ships and all other goods not belonging to the Offenders; the same is to be vnderstood for the Traders and Factors.